

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RAYMOND HAROLD GRUNZINSKY, )

Petitioner, )

v. )

Case No. CIV-15-387-M

ROBERT PATTON, )

Respondent. )


**ORDER**

On June 17, 2016, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254. The Magistrate Judge recommended that this action be dismissed without prejudice for petitioner failing to comply with the Court's orders, specifically the Court's order to file an amended complaint. The Magistrate Judge further recommended that petitioner's Motion to Dismiss be denied as moot. Petitioner was advised of his right to file an objection to the Report and Recommendation by July 6, 2016. A review of the file reveals no objection has been filed by petitioner.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 63] issued by the Magistrate Judge,
- (2) FINDS petitioner's Motion to Dismiss [docket no. 59] is MOOT, and
- (3) DISMISSES this action without prejudice for petitioner failing to file an amended complaint.

**IT IS SO ORDERED this 5th day of August, 2016.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE